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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,159	01/26/2004	Hideaki Shimizu	723-1464	6751
27562 7590 05/16/2007 NIXON & VANDERHYE, P.C. 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER KARKHANIS, AASHISH	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/763,159	Applicant(s) SHIMIZU, HIDEAKI	
	Examiner Aashish Karkhanis	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1-26/04; 12/14/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (U.S. Patent 5,971,855) in view of Naka et al. (U.S. Patent 5,405,151), and further in view of Dawes et al. (U.S. Patent 4,890,098).

Regarding Claims 1 – 2 and 4 – 14, Ng discloses a game system in which a plurality of players participate and play a game, and having a video game machine connected to a display (col. 3, lins. 46 – 51; where portable game machines are connected to a personal computer with a common personal computer display) and a plurality of hand-held game machines including a separate display connected to said video game machine (col. 3, lins. 12 – 25; where each portable game machine has a display), said game system including an exchanging portion for exchanging data between said video game machine and said hand-held game machine (col. 3, lins. 46 – 50; where a cable is used to connect a handheld game to a personal computer), and an evaluating value setter for setting an evaluating value of each player according to a superiority or inferiority situation of a play content of each player (col. 5, lins. 66 – 67; col. 6, lins. 1 – 8; where rank statistics are used to gauge the superiority of one player versus another), wherein said hand-held game machine includes a first game-program

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storage for storing a program for a player's own hand-held game, an operating unit operated by the player, a first game-image generator for generating a separate game image to be displayed on said separate display based on said program for a player's own hand-held game or an operation from said operating unit (col. 4, lins. 30 – 40), and said video game machine, includes a second game-program storage for storing an operating program for the video game machine and a program for an interlocking game (col. 7, lins. 42 – 47; where two handheld games are linked in a combat mode), a number-of-players detector for detecting the number of players who participate in the game (col. 8, lins. 22 – 29; where a match ends in a draw if a player is detected to leave before the end of combat), including a determining portion for determining whether or not there is a player who ends the game out of the participating players (col. 8, lins. 22 – 29; where a match ends in a draw if a player is detected to leave before the end of combat), based on the program stored in said second game-program storage storing means or an operation from said operating unit received by said exchanging portion (col. 8, lins. 9 – 21; where game information is exchanged between to linked handheld systems). Ng does not disclose a variable size screen divider for showing a common game display on a single screen. However, Naka teaches a screen divider for dividing a display area included in a common screen to be displayed on said common display in correspondence with the number of the participating players, and forming a plurality of divided areas, a second game-image generator for generating game images in each of said divided areas allotted to each player (col. 17, lins. 5 – 22) in order to allow multiple players to play a game with less hardware required. Therefore, it would have been

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obvious to one of ordinary skill in the art at the time of the invention to have modified the handheld game system which links to a single networked personal computer and interacts over a network with another personal computer connected to another handheld game device of Ng with the common split screen game display using only one personal computer of Naka to allow a single personal computer to be used to connect to multiple handheld game devices in order to allow multiple players to play a game with less hardware required. Naka does not teach a variable change in screen sizes. However, Dawes teaches a display device and a size changer changing means for changing a size of said divided areas allotted to each player based on said evaluating value set by said evaluating value setter (col. 3, lins. 1 – 25; where a value setter may be a user manipulation or a display manager control operation, such as rearranging contents in a newly sized window) wherein said size changer re-divides said display area by the number of the remaining players that subtract the players when determined by said determining portion that there is the player who ends the game, and determines a size of re-divided areas based on the evaluating value of the remaining players, wherein said game image generator generates a changed game image according to a size change of said divided areas by said size changer across a visual range (col. 3, lins. 20 – 25; where contents of a new window are changed when it is resized) in order to provide a more dynamically updating player screen using dynamically updating player connection status of Ng. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the multiplayer game system with handheld devices of Ng with a split screen display in order to reduce the amount of hardware

required to play a multiplayer game, and further with the variable screen size dividers of Dawes in order to provide a more dynamically updating player screen using dynamically updating player connection status of Ng.

Regarding Claim 3, Ng discloses a game apparatus including a display area renderer for rendering a display area within said display screen (col. 3, lins. 46 – 51; where portable game machines are connected to a personal computer with a common personal computer display), but does not disclose a circular size changing split screen. However, Naka teaches a game display wherein said screen divider equally divides said circular display area rendered by said display area renderer by said number of the participating players (col. 17, lins. 5 – 22) in order to allow multiple players to play a game with less hardware required. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the handheld game system which links to a single networked personal computer and interacts over a network with another personal computer connected to another handheld game device of Ng with the common split screen game display using only one personal computer of Naka to allow a single personal computer to be used to connect to multiple handheld game devices in order to allow multiple players to play a game with less hardware required. Naka does not teach a variable change in screen sizes. However, Dawes teaches a display where said size changer changes a display of said divided areas of each player (col. 3, lins. 1 – 25) in order to provide a more dynamically updating player screen using dynamically updating player connection status of Ng. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have

modified the multiplayer game system with handheld devices of Ng with a split screen display in order to reduce the amount of hardware required to play a multiplayer game, and further with the variable screen size dividers of Dawes in order to provide a more dynamically updating player screen using dynamically updating player connection status of Ng. Dawes does not teach circular divided areas. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the shape of the divided regions to take any desired form, including circles and sectors of circles, while preserving the same function of providing a dynamically changing multiplayer split screen window.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,060,170: Arbitrary window resizing and layout.

U.S. Patent 6,527,637 B2: Split screen gaming.

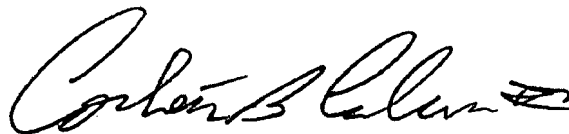
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK

A handwritten signature in black ink, appearing to read "Corbett B. Coburn" with a stylized flourish at the end.

**CORBETT B. COBURN
PRIMARY EXAMINER**